

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

| | | |
|----------------------------|---|----------------------|
| KEVIN DOUGLAS McGEE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 05-4094-CV-C-SOW |
| |) | |
| STATE OF MISSOURI, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

On May 18, 2005, the United States Magistrate Judge recommended dismissing plaintiff's claims. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that plaintiff's motion for leave to proceed in forma pauperis is denied, pursuant to 28 U.S.C. § 1915, and his claims are dismissed, without prejudice, for failure to state a claim for which relief may be granted.

/s/Scott O. Wright

SCOTT O. WRIGHT

Senior United States District Judge

Dated: 6-17-05